

advises Petitioner that failure to file a timely and persuasive response may result in dismissal of the § 2255 Motion to Vacate.

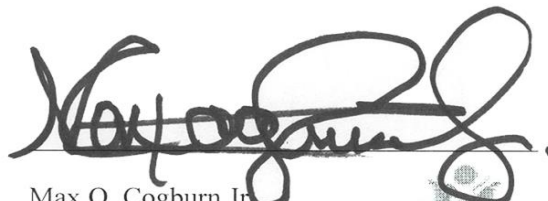
IT IS, THEREFORE, ORDERED that:

1. Counsel for Petitioner shall, within **ten (10) days** of this Order, file a notice informing the Court whether he is still representing Petitioner in this action and of his client's position on the Motion to Dismiss.

2. Should Petitioner choose to proceed without counsel, Petitioner may file a *pro se* response to the pending Motion to Dismiss no later than **thirty (30) days** from entry of this Order. Failure to file a timely and persuasive response will likely lead to the dismissal of this action.

3. The Clerk is instructed to mail a copy of the Government's Motion to Dismiss, (Doc. No. 4), and this Order to: Nickolas M. Godfrey, Reg. No. 34170-058, FCI Edgefield, Federal Correctional Institution, PO Box 725, Edgefield, SC 29824.

Signed: December 21, 2020


Max O. Cogburn Jr.
United States District Judge

judgment may well result in entry of summary judgment against them.”), *abrogated on other grounds by Wilkins v. Gaddy*, 559 U.S. 34 (2010). Nevertheless, courts routinely issue Roseboro notices for motions to dismiss, and the Court does so here.